

Remarks

Claims 10-16, 27-39 and 41 are pending. Applicants assert that all pending claims are in condition for allowance after final as set forth more fully below.

102 Rejections

Claims 10-12, 14-16, and 32 stand rejected under 35 USC 102(e) as being anticipated by Farris (US Pat 6,504,907). Applicants respectfully traverse these rejections.

It should be noted that these claims were rejected based on this same Farris reference in the Office Action mailed on October 22, 2004. The rejection to these claims within that Office Action is nearly identical to the rejection to these claims in the present application, including nearly the same citations to Farris for each of the elements. In response to those rejections of the October 22, 2004 Office Action, amendments and arguments were presented. It appears that those amendments and arguments overcame the rejections to these claims based on Farris, as the Examiner withdrew the rejection based on Farris and issued a new rejection based on a different reference, namely Swanson.

Now, it appears that the rejection based on Swanson has been overcome, but rejections based on Farris have been presented once again. There has been no explanation given as to why the arguments previously presented to overcome Farris are now considered to be unpersuasive such that the Farris rejections are once again applicable. A brief call to the Examiner regarding this issue did not provide any guidance as to why the Farris rejections have been presented again. Accordingly, Applicants again assert that these claims are allowable over Farris for at least the same reasons previously presented in the response filed on January 24, 2005. These arguments are set forth below.

Claims 10-16

Claim 10 recites, in part, a method for communicating all telecommunication call records generated over a period of time associated with a telecommunication system, the call records being transmitted from a remote telecommunication device, comprising receiving all telecommunication call records from a plurality of remote telecommunication devices at a plurality of switches in communication with a switch master, transmitting all dial digits from the plurality of switches to the switch master, wherein the switch master is in communication with a

computing system, transmitting all telecommunication call records from the switch master to the computing system, and storing all telecommunication call records in a database in communication with the computing system. Thus, all of the dial digits and call records are passed from the switch to the switch master and from the switch master to the computing system, as opposed to transferring only a select few of the call records as in Farris. The recitations of claim 10 are also contrary to Farris.

The system and method of Farris teaches an exclusive, call specific monitoring system that cannot monitor all the call records generated by all telecommunications switches over an entire telecommunications system. For example, Farris specifically teaches a law enforcement surveillance system that depends upon the pre-identification of a subject under surveillance and assigning a specific CLASS code to alert the system to capture those specific call records or dialing digits. (See Col. 7, l. 35-45; Col. 8, l. 48-52 and FIGs. 1-2 below). Furthermore, the card cages (33) and site processor (35) filter out all records not associated with a surveillance. (See Col. 19, l. 40-45). Therefore, Farris teaches that only a limited number of call records are passed through the RAO or site processor and on to the server 39 for storage, as opposed to passing all dial digits and call records from the switch to the switch master and from the switch master to the computing system.

Continuing, Examiner alleges that FIGs. 1-3 of Farris teach “a method for communicating all telecommunication call records generated over a period of time associated with a telecommunication system, the call records being transmitted from a remote telecommunication device...” Applicant respectfully submits that it can find no such teaching in Farris’ FIGs. 1-3 (FIGs. 1-2 of which are reproduced below). Applicant respectfully submits that the cited figures clearly teach a method far different than that cited by Examiner and claimed in Applicant’s claim 10. To wit, Farris’ FIG 1 is a flow chart that begins with a law enforcement agency identifying a subject and then setting up surveillance including setting a monitor system and class in EO.

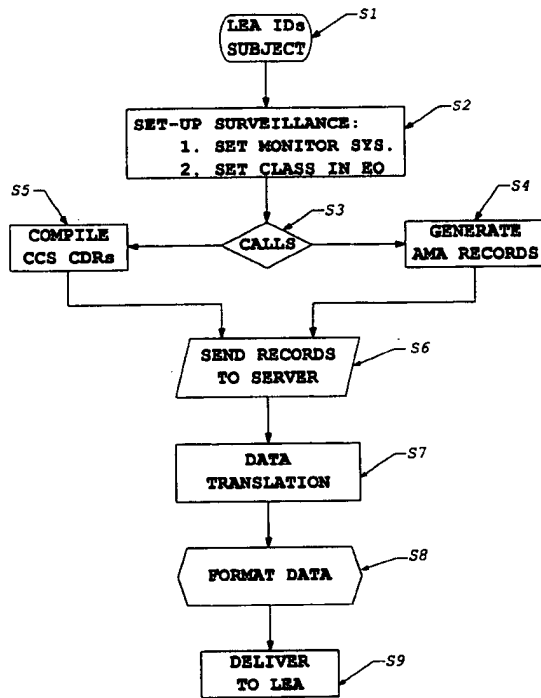


FIG. 1

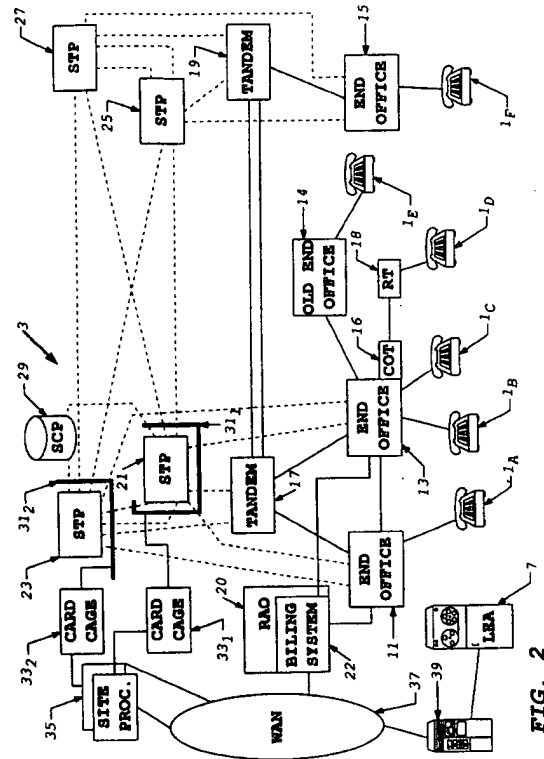


FIG. 2

Figure 1, 2: Farris 6,504,907 Figure 1 and 2, respectively.

Further, the method illustrated in FIG. 2 is similarly deficient as the card cages (33) and site processor (35) filter out all records not associated with a surveillance. (See Col. 19, l. 40-45)

Applicant further submits that Farris' FIG. 3 teaches nothing additional relating to "a method for communicating all telecommunication call records generated over a period of time associated with a telecommunication system, the call records being transmitted from a remote telecommunication device."

As textual support for the rejection, Examiner points to several passages within Farris including, Col. 5, l. 16-30 which states:

Thus, a first aspect of the invention relates to a method of conducting lawful call associated data surveillance in a switched telecommunication network. During processing of a call in some way associated with a subject of the surveillance, the method entails detecting a code in a service profile for the subject. The profile is stored in a switching office of the network involved in processing of the call. Upon detecting the code, the switching office generates accounting messages containing data regarding events occurring in processing of

the call. The accounting messages are processed to form a detailed record of the call. The detailed record includes significant data associated with the call. A data system of a law enforcement agency receives the detailed record of the call.

(Emphasis added.)

As illustrated by the underlined text, Applicant respectfully submits that Farris does not teach the limitations as indicated by Examiner, but instead clearly teaches a method in which only specific records from specific previously identified individuals are captured and reported.

Accordingly, Farris fails to teach all the recitations of claim 10, and claim 10 is allowable over Farris for at least these reasons. Dependant claims 11-16 depend from an allowable claim 10 and are also allowable for at least the same reasons.

Claim 32

Claim 32 includes recitations similar to those of claim 10. In particular, claim 32 recites a computer readable medium having a set of computer instructions encoded thereon, and that the computer readable medium causes the computer to receive all call records from the switch master, which has received all call records from the switches, substantially instantaneously after termination of one or more telecommunications transactions. Additionally, claim 32 includes generating a report in real time. As noted above in relation to claim 10, recitations such as these of claim 32 are also contrary to Farris, and claim 32 is allowable over Farris for at least these reasons.

103 Rejections

Claims 13, 27-39 and 41 stand rejected as being unpatentable over Farris in view of Lowe (US Pat 6,539,082). Applicants respectfully traverse these rejections.

Claim 13

As noted above, claim 13 depends from independent claim 10 which is now in condition for allowance. Dependant claim 13 depends from an allowable claim 10 and is also allowable for at least the same reasons.

Claims 27- 31

Claim 27 includes recitations similar to those discussed above for claim 10. In particular, claim 27 recites a computer implemented method for managing all call records received over a period of time associated with a telecommunication system in real time relative to the termination of the telecommunications transactions, the call records being transmitted from a remote telecommunication device. Claim 27 further recites that all dial digits and all call records are communicated in real time from a plurality of remote telecommunications devices to the computing system via the switch master substantially instantaneously. Further it recites also generating a report in real time in response to a query. Still further it recites that the switch master is in communication with the telecommunications switches, a billing system and the computing system.

As noted above in relation to claim 10, the recitations of claim 27 regarding all dial digits and call records being passed to the computing system are contrary to Farris and the current rejection fails to account for this deficiency of Farris. Furthermore, the principle of operation of Farris is to utilize CLASS codes to filter out those call records that are not of surveillance interest such that they are not collected and passed up to the RAO and then onward for storage. Thus, modification of Farris to stop filtering and to pass all call records from the site monitors for the switches to the RAO and onward for storage would be a change to the principle of operation of Farris which is contrary to the rules set forth in MPEP 2143.01 VI. Thus, claim 27 is allowable over Farris in combination with Lowe for at least these reasons.

Accordingly, the cited prior art fails to teach all the recitations of claim 27, and claim 27 is allowable over the cited art for at least these reasons. Dependant claims 28-31 depend from an allowable claim 27 and are also allowable for at least the same reasons.

Claim 32

Claim 32 includes recitations similar to those of claim 10. In particular, claim 32 recites a computer readable medium having a set of computer instructions encoded thereon, and that the computer readable medium causes the computer to receive all call records from the switch master, which has received all call records from the switches, substantially instantaneously after termination of one or more telecommunications transactions. Additionally, claim 32 includes generating a report in real time. As noted above in relation to claim 10, recitations such as these

of claim 32 are also contrary to Farris and Lowe, and claim 32 is allowable over the cited prior art for at least these reasons.

Claims 33-39

Claims 33 and 37 also include recitations similar to those of claim 10. These recitations include a system for managing all telecommunications call records utilizing a switch master unit in communication with a plurality of communications switches, a billing system and a computer system where there is real time communication between the remote communications devices and the switches, the switch master, and the computer system. Furthermore, claim 33 further recites producing a summary of the telecommunication call records in real time. As noted above in relation to claim 27, these recitations of claims 33 and 37 are also contrary to Farris, and there can be no motivation to modify Farris since the principle of operation of Farris is to employ the CLASS codes to filter out unwanted call records. Thus, claims 33 and 37 are allowable over Farris in combination with Lowe for at least these reasons.

Accordingly, the cited prior art fail to teach all the recitations of claim 33, and claim 33 is allowable over the cited prior art for at least these reasons. Dependant claims 34-36 depend from an allowable claim 33 and are also allowable for at least the same reason.

Also, the cited prior art fail to teach all the recitations of claim 37, and claim 37 is allowable over the cited prior art for at least these reasons. Dependant claims 38-39 depend from an allowable claim 37 and are also allowable for at least the same reason.

Claim 41

Claim 41 also includes recitations similar to those of claim 27 regarding all call records generated from the switches being received by the switch master and then received by the computing system from the switch master. Thus, claim 41 is allowable over Farris in combination with Lowe for at least these reasons.

Conclusion

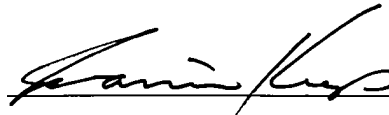
Applicants assert that the application including claims 10-16, 27-39, and 41 is now in condition for allowance. Applicants request reconsideration in view of the remarks above and

further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: February 17, 2006

A handwritten signature in black ink, appearing to read "Jeramie J. Keys", written over a horizontal line.

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